

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Koji ABE et al.)
Application No. 10/564,852) Art Unit: 1795
Filed: January 17, 2006) Confirmation No. 5132
For: NON-AQUEOUS ELECTROLYTIC)
SOLUTION FOR LITHIUM SECONDARY)
BATTERY AND LITHIUM SECONDARY)
BATTERY USING THE SAME)

RESPONSE TO ELECTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Election Requirement mailed September 14, 2009, Applicants hereby elect, with traverse, Species III, which is drawn to an electrolyte comprising an alkyne compound containing R²⁵, R²⁶, and R²⁷, W, and Y⁶ and no aromatic compound. Claims 13-15 are readable upon the elected species, as well as being deemed generic to all noted species.

The species election is traversed since Applicant contends that Species III itself appears to be generic to Species I and II. Of course, all three (3) Species should continue to be considered patentably distinct from each other. Further, Applicants traverse to permit rejoinder/allowance of the non-elected claims upon the allowance of one or more generic claims.

Consideration and allowance of the instant application are now respectfully requested.

Respectfully submitted,

Dated: October 14, 2009

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